ATTORNEY DOCKET NO. 47038-0217-00-US

OP.

BE	1) IN	THE UNITED STATES PATENT AND	TRADEMARK OFFICE
In re Ap	oplicati	on of: John P. CAROLLF et (4)	Confirmation No.: 5366
Applica	tion No	o.: 10/731,739 (APR 0 3 1007)	Group Art Unit: 1636
Filed:	Decem	ber 10, 2003	Examiner: Celine X. Qian, Ph.D.
For:	THE HI	GH BONE MASS GENE OF 11Q13.3)	
U.S. Par Custom Fee	tent and ier Wi	for Patents d Trademark Office ndow Mail Stop: New Application A 22314	04/04/2007 HMARZI1 00000121 10731739 01 FC:1806 180.00 ✓ Amendment ☐ AF ☐ Issue
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Sir:		INFORMATION DISCLOSURE ST	ATEMENT (IDS)
brings to the under Action of RCE un to the at is being mailing	o the at ersigned on the rader § 1 Under tention filed a date of	37 C.F.R. § 1.97(b): Pursuant to 37 C.F.R tention of the Examiner the documents listed d's knowledge, this IDS is being filed before merits, before the mailing date of a first Offi. 114, or within three months of the application of the Examiner the documents listed on the fter the events recited in § 1.97(b) but, to the Fa Final Office Action, a Notice of Allowand the application.	d on the attached PTO Form 1449. To e the mailing date of a first Office ce Action on the merits after filing an on filing date. §§ 1.56 and 1.97(c), Applicant brings e attached PTO Form 1449. This IDS e undersigned's knowledge, before the
. [The fee of \$180.00 set forth in § 1.17(p) is i	ncluded herein; or
[Applicant submits that each item of informative cited in any communication from a foreign papplication not more than three months prior	patent office in a counterpart foreign
brings to	the at	37 C.F.R. § 1.97(d): Pursuant to 37 C.F.R tention of the Examiner the documents listed ng filed after the events recited in § 1.97(c)	d on the attached PTO Form 1449.
	\boxtimes	The fee of \$180.00 set forth in § 1.17(p) is i	ncluded herein; and

Applicant submits that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign

application not more than three months prior to the filing of this IDS.

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A PTO-892 form from related U.S. application serial No. 10/240,851 dated <u>January 4, 2007</u>, and having documents cited thereon is attached for the Examiner's consideration. Any of these documents not previously cited, and any additional documents are listed on the PTO Form 1449.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. As for any document listed on the accompanying PTO-1449 that is in a language other than English, relevance can be understood from an enclosed English abstract or at least partial translation or from mention in the specification or in a search report for a corresponding application.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

Dated: April 3, 2007

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	U	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages) Lavasseur et al Joint Bone Spine 72:207-214, 2005, see page 209-211						
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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)

Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.